

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-10091-JLT

DORNELL WIGFALL,
Plaintiff,

v.

MICHAEL SHEEHAN, et al.,
Defendants.

**DEFENDANTS PETER ALLEN AND DAVID NOLAN'S MOTION FOR MORE
DEFINITE STATEMENT**

Defendants Peter Allen, former Superintendent of MCI-Cedar Junction, and David Nolan, Superintendent of MCI-Cedar Junction ("Defendants Allen and Nolan"), hereby move for more definite statement pursuant to Fed. R. Civ. P. 12(e) as set forth below.

In an Order dated May 27, 2005 this Court indicated that Defendants Allen and Nolan, upon service, were to answer to the allegations that they denied plaintiff's appeal of the disciplinary hearing. Defendants Allen and Nolan, however, are unable to respond to this Order until such time as plaintiff provides a more definite statement. In his Complaint, plaintiff fails to state the date of the alleged incident(s) and the disciplinary report number(s). A review of plaintiff's disciplinary history on the Department's computer system reveals some 50 disciplinary reports as having been issued against plaintiff. Consequently, until such time as plaintiff provides a more definite statement, which includes the date of the alleged incident(s) and the disciplinary report number(s), Defendants Allen and Nolan are unable to answer the Complaint as ordered by the Court.

Respectfully submitted,

NANCY ANKERS WHITE
Special Assistant Attorney General

DATED: July 11, 2005

/s/ C. Raye Poole
C. Raye Poole
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Certificate of Service

I, C. Raye Poole, counsel for the defendants, hereby certify that on this 11th day of July 2005, I served a copy of Defendants Peter Allen and David Nolan's Motion for More Definite Statement by first class mail, postage prepaid, on the plaintiff, Dornell Wigfall W47068, at his last known address, MCI-Cedar Junction, PO Box 100, South Walpole, Massachusetts 02071

/s/ C. Raye Poole
C. Raye Poole